

REFERENCE TITLE: railroads; abusive practices

State of Arizona
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SCM 1004

Introduced by
Senators Rios, Aguirre, Miranda, Mitchell; Representative Rios P: Senators
Blendu, Cheuvront, Flake, Garcia, Hale, Harper, Soltero, Verschoor;
Representative Miranda B

A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS TO PROTECT THE CITIZENS OF THIS STATE FROM
ABUSIVE RAILROAD PRACTICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, the Legislature of the State of Arizona is committed to our
4 nation's free market economic model and believes, specifically, that markets
5 subject to competition should not be regulated by the local, state or federal
6 governments but that those markets that are not subject to competition and
7 yet supply important commodities, products or services to the citizens of
8 Arizona must be subject to effective local, state or federal government
9 regulation; and

10 Whereas, important commodities, such as coal for electric generating
11 facilities and grain for dairy and beef cattle production, are dependent on
12 railroad transportation into the State of Arizona; and

13 Whereas, in 1980, the Congress of the United States deregulated
14 railroad transportation where rail competition exists, but directed a federal
15 agency, now the Surface Transportation Board, to loosely oversee the rail
16 industry; and

17 Whereas, the Surface Transportation Board, in implementing its
18 responsibilities under the deregulation act, has allowed the railroads to
19 increase their market power through mergers and acquisitions and has allowed
20 the railroads to avoid rail-to-rail competition wherever possible; and

21 Whereas, in Arizona, Casa Grande and Pinal County worked for several
22 years in an attempt to attract a new industry into the area, but was thwarted
23 in this effort when the railroad industry removed the spur tracks that
24 service current and potential future industries there. The industry then
25 declined to continue its location proceedings in the Casa Grande area due to
26 its lack of access to rail lines, resulting in missed economic opportunities
27 for the local community and this state; and

28 Whereas, Pinal County is growing so quickly that road infrastructure
29 has fallen behind, making railroad access even more crucial to industry; and

30 Whereas, the American railroad industry continues to be the only
31 American industry that is exempt from major portions of the nation's
32 antitrust laws.

33 Wherefore your memorialist, the Senate of the State of Arizona, the House of
34 Representatives concurring, prays:

35 1. That the Congress of the United States protect the citizens of the
36 State of Arizona from abusive railroad practices by enacting legislation that
37 ensures that the Surface Transportation Board will facilitate rail-to-rail
38 competition wherever possible and that the Surface Transportation Board will
39 develop a cost-effective and time-effective process that ensures that the
40 American railroad industry is subject to all provisions of the nation's
41 antitrust laws.

42 2. That Congress enact legislation similar to the Railroad Competition
43 Act of 2003, S. 919 and H.R. 2924, from the 108th Congress.

44 3. That the Secretary of State of the State of Arizona transmit copies
45 of this Memorial to the President of the United States Senate, the Speaker of
46 the United States House of Representatives and each Member of Congress from
47 the State of Arizona.